

NO. 66717

APPLICATION FOR PERMISSION TO CHANGE POINT OF  
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE  
PUBLIC WATERS OF THE STATE OF NEVADA  
HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office AUG 17 2000

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed AUG 17 2000

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The applicant **ELW RANCHES, INC. c/o Raymond J. Avansino, Jr.**, hereby makes application for permission to change the **point of diversion and manner of use of a portion** of water heretofore appropriated under Permit **49275**

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1. The source of water is **underground**
2. The amount of water to be changed **5.2 cfs, not to exceed 2240 afa**
3. The water to be used for **irrigation**
4. The water heretofore permitted for **irrigation**
5. The water is to be diverted at the following point **within hte SE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 28, T10N, R27E, MDB&M, at a point from which the NE corner of said Sec. 10 bears N 54°28'19" E a distance of 3294.56 feet.**
6. The existing permitted point of diversion is located within **the NE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 28, T10N, R27E, MDB&M, at a point from which the NE corner of said Sec. 28 bears N 66°55'59" E a distance of 2912.85 feet.**
7. Proposed place of use **within portions SE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 16, within portions N $\frac{1}{2}$ , SW $\frac{1}{4}$ , W $\frac{1}{2}$  NE $\frac{1}{4}$  Sec. 21, within portions E $\frac{1}{2}$  E $\frac{1}{2}$  Sec. 20, the NW $\frac{1}{4}$ , N $\frac{1}{2}$  SW $\frac{1}{4}$ , W $\frac{1}{2}$  NE $\frac{1}{4}$  and the W $\frac{1}{2}$  SE $\frac{1}{4}$  Sec. 28, and the NE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 29, all within T10N, R27E, MDB&M, as depicted on the supporting map.**
8. Existing place of use **Refer to Exhibit A attached hereto.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **April to October 31** of each year.
11. Description of proposed works **drilled and cased well, submersible pump and electric motor and distribution system to either flood or sprinkler irrigation system.**
12. Estimated cost of works **\$100,000**
13. Estimated time required to construct works **3 years**
14. Estimated time required to complete the application of water to beneficial use **5 years**
15. Remarks: **This right is supplemental to Walker River decreed rights. The Report of Conveyance and Abstract of Title to vest title to ELW Ranches, Inc. were submitted to the State Engineer's Office on August 25, 1999.**

By **Ross E. de Lipkau**  
**s/Ross E. de Lipkau**  
**P.O. Box 2790**  
**Reno, NV 89505-2790**

Compared hf/cmf dl/cmf

Protested \_\_\_\_\_

66717

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APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, place of use and manner of use of the waters of an underground source as heretofore granted under Permit 49275 is issued subject to the terms and conditions imposed in said Permit 49275 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permit 66717 and any water of the Walker River Decree and any storage water appurtenant to the place of use shall not exceed 2240.0 acre-feet per season for the irrigation of 560.0 acres. The permit holder is responsible for insuring delivery of the entitled decreed and storage waters that are supplemental to this permit. In any year the Walker River Irrigation District declares a full allocation of decreed water to the priority years of C-125 decree claims supplemental to this permit, underground water shall not be pumped from the well described in this permit. In any year the Walker River Irrigation District has no decreed or storage water, or declares a reduced allocation of surface waters to the priority years of C-125 decree claims supplemental to this permit, then water can be pumped from wells for irrigation of the permitted places of use. Irrigation shall not exceed a duty of four acre-feet per year from the total of decreed, storage and underground waters.

The period of use of this permit is 245 days from March 1 to October 31 of each year.

The issuance of this permit totally abrogates Permit 49275.  
(CONTINUED ON PAGE 3)

(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.2 cubic feet per second but not to exceed 2240 acre-feet per season, and not to exceed a seasonal duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

March 19, 2004

Proof of completion of work shall be filed before:

April 19, 2004

Water must be placed to beneficial use on or before:

March 19, 2006

Proof of the application of water to beneficial use shall be filed on or before:

April 19, 2006

Map in support of proof of beneficial use shall be filed on or before:

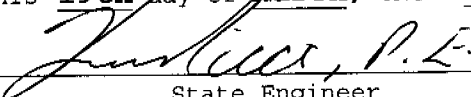
April 19, 2006

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 19th day of March, A.D. 2002

  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

66717

No. 49275

## EXHIBIT "A"

T.11N., R.26E., M.D.B.&M.

Section 14: SE $\frac{1}{4}$ SW $\frac{1}{4}$   
 Section 23: NE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{4}$   
 Section 26: NE $\frac{1}{4}$ , E $\frac{1}{4}$ SE $\frac{1}{4}$   
 Section 25: NW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$   
 Section 36: All

T.11N., R.27E., M.D.B.&M.Section 31: SW $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ T.10N., R.26E., M.D.B.&M.Section 1: NE $\frac{1}{4}$ NE $\frac{1}{4}$ T.10N., R.27E., M.D.B.&M.

Section 6: N $\frac{1}{4}$ , SE $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{4}$ SW $\frac{1}{4}$   
 Section 5: NW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{4}$ SW $\frac{1}{4}$   
 Section 7: N $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$   
 Section 8: W $\frac{1}{4}$ , SE $\frac{1}{4}$ , W $\frac{1}{4}$ NE $\frac{1}{4}$   
 Section 17: E $\frac{1}{4}$ , N $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$   
 Section 16: SW $\frac{1}{4}$ , W $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$   
 Section 20: E $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{4}$ SE $\frac{1}{4}$   
 Section 21: W $\frac{1}{4}$ , W $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{4}$ SE $\frac{1}{4}$   
 Section 29: NE $\frac{1}{4}$ NE $\frac{1}{4}$   
 Section 23: NW $\frac{1}{4}$ , W $\frac{1}{4}$ NE $\frac{1}{4}$ , N $\frac{1}{4}$ SW $\frac{1}{4}$ , W $\frac{1}{4}$ SE $\frac{1}{4}$   
 Section 9: SW $\frac{1}{4}$ SW $\frac{1}{4}$

see letter 7-17-85  
 MM